IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

WP(C).No. 35653 of 2007(T)

PETITIONER:

JAFFAR USMAN, S/O V.USMAN,
AGED 48 YEARS, PROPRIETOR,
TILES CITY, MMC, VIA/79,
NNEAR TELEPHONE EXCHANGE,
THAZHE BONANVABIDA, CHERUKALLAI,
MAHE.

BY ADV. SRI.K.M.FIROZ
SMT.M.SHAJNA

RESPONDENT:

THE INTELLIGENCE INSPECTOR,
MOBILE SQUAD NO.II(MAHE),
OFFICE OF DEPUTY COMMISSIONER(INT),
DEPARTMENT OF COMMERCIAL TAXES,
KOZHIKODE, CAMP AT MINI CIVIL STATION,
VATAKARA.

BY G.P.SRI. TEK CHAND

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C)NO.35653 OF 2007 - T

Dated this the 1st day of December, 2007.

JUDGMENT

Detention of the goods as per Ext.P3 notice is under challenge. Going by the irregularities noticed by the officers and also the fact that the petitioner is not a dealer registered in Kerala, I am not persuaded to pass the order sought for directing release of the goods. However, if the petitioner furnishes Bank guarantee for the security amount demanded in Ext.P3 notice of detention, the goods and the vehicle will be released to the petitioner subject to further adjudication in terms of provisions of the Act.

The writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

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